

REMARKS

In response to the Restriction Requirement of March 14, 2005, Applicants hereby elect Invention II, corresponding to Claims 1-22, drawn to a semiconductor device.

Applicants have canceled the claims of Invention I, corresponding to Claims 23-53, drawn to a method. This cancellation is being made without prejudice to the filing of a divisional application for these claims.

Applicants are not traversing the restriction requirement, because Applicants agree that unpatentability of Invention II would not necessarily imply unpatentability of Invention I.

The title has been changed to conform to cancellation of the method claims.

The Office Action also states that Applicants must elect one of six species, which are identified with reference to the figures. In response to this election requirement, Applicants provisionally elect the claims drawn to Species I, which correspond to Claims 1-9, 12-17 and 20-22. However, Applicants respectfully submit that the six "species" identified in the Official Action do not comprise separate and distinct species, and that numerous generic claims have already been presented.

In particular, the Official Action states that six distinct species exist, labeled Species I through VI, which correspond to Figs. 8, 9, 10, 20, 24, and 29, respectively. However, as indicated in the Description of the Drawings, Fig. 8 and Fig. 20, correspond to each other, where Fig. 8 depicts a single MOS device and Fig. 20 depicts the corresponding CMOS device. Accordingly, "Species" I and IV are actually related as genus/species as opposed to species/species. Likewise, the same relationship holds for Figs. 9 and 24 and for Figs. 10 and 29 as exists for Figs. 8 and 20. Accordingly, "Species" II and V, as well as "Species" III and VI, are also related as genus/species as opposed to species/species.

In addition, Applicants further note that the vast majority of the claims are generic, covering all of the identified species. By way of example, Claim 1 recites:

1. A MOS transistor comprising:

a gate electrode on a substrate, the gate electrode having a first lateral protrusion extending from a lower portion of a first sidewall of the gate electrode and a second lateral protrusion extending from a lower portion of a second sidewall of the gate electrode;

a drain region in the substrate comprising a first lightly-doped drain region under the first lateral protrusion, a second lightly-doped drain region that is deeper than the first lightly-doped drain region adjacent the first lightly-doped drain region,

and a heavily-doped drain region adjacent to the second lightly-doped drain region; and

a source region in the substrate comprising a first lightly-doped source region under the second lateral protrusion, a second lightly-doped source region that is deeper than the first lightly-doped source region adjacent the first lightly-doped source region, and a heavily-doped source region adjacent to the second lightly-doped source region.

The recitations of Claim 1 are present in each of Figs. 8-10, 20, 24 and 29.

Applicants are not contesting the election of species requirement, because Applicants agree that patentably distinct species are disclosed herein. However, Applicants respectfully submit that Claim 1 represents a generic claim that covers all of the identified species. Similarly, Claims 1-8 and 12 also appear to be generic claims to all of Species I-VI, and Claims 13-16 and 20-22 appear to be generic to Species IV-VI.

In light of the above, Applicants respectfully request examination of Claims 1-9, 12-17 and 20-22, which correspond to Species I. Further, if any of Claims 1-8 or 12 are found allowable, Applicants also request examination and allowance of Claims 10-11 and 18-19, and if any of Claims 13-16 or 20-22 are found allowable, Applicants also request examination and allowance of Claims 18-19.

Respectfully submitted,



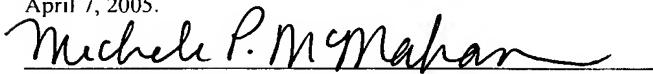
D. Randal Ayers
Registration No. 40,493
Attorney for Applicants

Customer Number 20792

Myers Bigel Sibley & Sajovec, P.A.
P.O. Box 37428
Raleigh, NC 27627
919-854-1400
919-854-1401 (Fax)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 7, 2005.



Michele P. McMahan
Date of Signature: April 7, 2005